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**General Assembly
Fifty-eighth session**

Agenda item 37

The situation in the Middle East

**Security Council
Fifty-ninth year**

**Letter dated 22 April 2004 from the Permanent Representative of
Lebanon to the United Nations addressed to the Secretary-General**

On instructions from my Government, I have the honour to transmit to you herewith a summary of Israeli violations and acts of aggression against Lebanon:

Between 1700 and 1730 hours on 18 April 2004, Israeli military aircraft overflew the regions of Maroun-Ras and Yaroun at varying altitudes, thus violating Lebanese airspace.

Between 1955 and 2020 hours on 19 April 2004, two Israeli helicopters overflew the occupied Shab'a Farms at medium altitude, thus violating Lebanese airspace.

Between 2155 and 2225 hours on 20 April 2004, an Israeli reconnaissance aircraft flew east over the sea off Jounieh, then south, at medium altitude, thus violating Lebanese airspace.

Between 1015 and 1020 hours on 21 April 2004, Israeli military aircraft overflew the occupied Shab'a Farms at high altitude, thus violating Lebanese airspace.

Between 1225 and 1235 hours on the same day, Israeli military aircraft and helicopters overflew the occupied Shab'a Farms at varying altitudes, thus violating Lebanese airspace.

Between 1800 and 1845 hours, two Israeli helicopters overflew the occupied Shab'a Farms at medium altitude, thus violating Lebanese airspace.

Between 1940 and 2055 hours, two Israeli helicopters overflew the occupied Shab'a Farms at medium altitude, thus violating Lebanese airspace.

Between 2040 and 2045 hours, military aircraft overflew the Bint-Jubayl region at varying altitudes, thus violating Lebanese airspace.

These grave violations are part of a continuous series of provocative Israeli violations of Lebanon's territorial airspace and land in contravention of the



principles of international law and the resolutions of international legitimacy, and the Secretary-General of the United Nations has repeatedly called for a halt to them.

In view of these violations and the stepping-up of Israeli threats to Lebanon and the safety of its territory and its citizens, Lebanon calls on the Security Council to condemn Israel and deter it from such violations and threats, which place international peace and security in jeopardy. Israel must assume full responsibility for the repercussions and consequences of such acts.

In drawing your attention to the gravity and possible consequences of such acts of aggression, I should be grateful if you would have this letter of complaint circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(Signed) Sami **Kronfol**
Ambassador
Permanent Representative



General Assembly

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Agenda item 60

Follow-up to the outcome of the Millennium Summit

Letter dated 20 April 2004 from the Permanent Representatives of Ireland and Mozambique to the United Nations addressed to the Secretary-General

On behalf of the African Union (AU) and the European Union (EU), we have the honour to forward to you the text of a joint declaration on multilateralism as agreed at the recent EU-AU ministerial troika meeting held in Dublin on 1 April 2004 (see annex). We request that the present letter and its annex be circulated as a document of the General Assembly.

(Signed) Richard **Ryan**
Ambassador

Permanent Representative of Ireland

(Signed) Filipe **Chidumo**
Ambassador

Permanent Representative of Mozambique



**Annex to the letter dated 20 April 2004 from the Permanent
Representatives of Ireland and Mozambique to the United Nations
addressed to the Secretary-General**

**European Union/Africa Joint Declaration on Effective
Multilateralism**

The European Union and Africa share a core belief in the multilateral system of collective security enshrined in the United Nations, and share the premise that the primary responsibility for the maintenance of international peace and security rests with the United Nations Security Council, in accordance with the UN Charter. The European Union and Africa are also committed to achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights. They recognise the need to make the multilateral system more responsive and effective in meeting global threats and challenges.

The European Union and Africa are agreed that an effective multilateral system, including a rule-based international order and strong international institutions, is essential to addressing the inter-related problems of conflict, poverty, underdevelopment and the absence of human security. They regard such a system as essential in confronting threats such as HIV/AIDS and other infectious diseases, the proliferation of small arms, poverty, weapons of mass destruction and terrorism, and environmental degradation.

The European Union and Africa are committed to the continued reform and revitalization of the United Nations system and noted the establishment by the UN Secretary General of the High-Level Panel on Threats, Challenges and Change. The European Union took note of the position of Africa on the reform of the UN Security Council, including permanent representation of Africa in the Council.

The European Union and Africa are committed to the implementation of the Millennium Summit Declaration and the achievement of the Millennium Development Goals. In this context, they are determined to implement the results of recent UN global High-Level Conferences and look forward to a comprehensive review of progress at a high-level plenary meeting within the 60th United Nations General Assembly in 2005.

The European Union and Africa will continue to promote open, equitable, rules-based and non discriminatory multilateral trading and financial systems that benefit all countries in the pursuit of sustainable development. They support the successful completion of the work programme contained in the Doha Ministerial Declaration, the implementation of the Monterrey Consensus and of the Plan of Implementation of the World Summit on Sustainable Development. They welcome the decision contained in the Doha Ministerial Declaration to place the needs and interests of developing countries at the heart of the work programme of the Declaration, including through enhanced market access for products of developing countries. The EU and Africa

encourage ongoing efforts by international financial and trade institutions to ensure that decision-making processes and institutional structures are open and transparent.

The European Union and Africa are agreed on the importance of the primary objectives of the New Partnership for Africa's Development (NEPAD) as the socio-economic programme of the African Union - poverty eradication, sustainable growth, bridging the digital divide and halting the marginalization of Africa in the globalization process - and of the structured basis for the attainment of those objectives, especially peace and security, good governance and regional co-operation, and economic partnership agreements. They welcome the decision of the AU Assembly in Maputo to integrate NEPAD into the AU structures and processes within a period of three years. They recognize the important role played by the regional economic communities, as building blocks of the AU in the implementation of NEPAD.

The European Union and the African Union are agreed that their shared response to issues of human security should be based on the concepts of responsibility, prevention, capability and partnership. They recognise that the European Security Strategy and the African Common Defence and Security Policy enshrines these concepts, and the determination of the European Union to develop a more active, capable and coherent response to key threats can be of particular value in addressing problems of human security in Africa, in particular those of regional conflicts and state failure.

The European Union welcomes the progress made by the African Union in establishing of a continental architecture for peace and security and the operationalisation of the Peace and Security Council, which will evidently make a significant contribution in strengthening Africa's capacity for the prevention and resolution of conflicts in the continent.

The European Union and Africa are agreed that good governance and respect for human rights and humanitarian law, along with economic development and the alleviation of poverty, are central to the prevention of conflict. They welcome the establishment of the African owned mechanisms - the African Peer Review Mechanism and the Conference on Security, Stability, Development and Co-operation in Africa to promote these objectives. They acknowledge the central role of the United Nations in promoting observance of and respect for human rights and agree to work more closely within the UN Commission for Human Rights in order to strengthen the effectiveness of its decision-making process. They are agreed that the accelerated empowerment of women presents a key opportunity for progress and recall the provisions of UN SCR 1325 of 31 October 2000 on women, power and security which urges, inter alia, an increased decision-making role for women in relation to the prevention, management, and resolution of conflict.

The European Union and Africa underlined the strong commitment to end impunity and agreed on a speedy ratification and implementation of the Rome Statute. They also welcome the coming into force of the protocol for the establishment of the African Court on Human and People's Rights and believe that this Court will make a major contribution to safeguarding and ensuring observance of human rights throughout Africa.

The European Union and Africa are committed to reinforcing their cooperation with each other and with the United Nations in identifying threats to peace and security and in developing preventive actions, in supporting multilateral actions aimed at dealing with global threats such as terrorism and various dimensions of conflicts such as arms trafficking and illegal exploitation of natural resources, in enhancing their support to crisis management, including by supporting United Nations peace-keeping operations and by participating in peace-keeping operations authorized by the United Nations, and in cooperating with the UN in affording assistance to states emerging from conflict.

The EU and Africa will continue to cooperate in the UN and elsewhere, in order to support the global fight against terrorism.

They recognise the role that regional and sub-regional organisations, can play in the maintenance of international peace and security. They particularly stress that such transboundary problems as armed groups, refugees, child soldiers and arms trafficking need to be dealt with at the regional level.

The need to strengthen African peace support operation capabilities, in cooperation with the UN, is recognised. The European Union and the African Union are united in their determination to make the African Peace Facility, established by the European Union, operational without delay. They also look forward to further progress being made towards the establishment of the Early Warning System and deployment of an Africa Stand-By Force.

The EU and Africa agreed to continue to develop their co-operation in the interest of effective multilateralism and to intensify their co-operation in the UN and in other international organisations.

Dublin, 1 April 2004



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Agenda items 127 and 134

Human resources management

Administrative and budgetary aspects of the financing
of the United Nations peacekeeping operations

Special measures for protection from sexual exploitation and sexual abuse

Report of the Secretary-General*

Summary

The present report is submitted in compliance with General Assembly resolution 57/306 of 15 April 2003, in which the Assembly requested the Secretary-General to maintain data on investigations into sexual exploitation and related offences. The report sets out data collected on the occurrence of cases of sexual exploitation and abuse within the United Nations system and on the efforts under way to prevent such acts. The report also describes the progress made in the development of guidelines and tools to establish a reporting process that is sensitive to the needs of victims and towards the promotion of a culture in which sexual exploitation and abuse are not tolerated.

* The delay in the submission of the present report was due to the need to obtain a number of responses from the wide range of United Nations entities providing data on cases of sexual exploitation and abuse.

I. Reports of sexual exploitation and abuse in 2003

1. The General Assembly in its resolution 57/306 of 15 April 2003, requested the Secretary-General to, *inter alia*, maintain data on investigations into sexual exploitation and related offences by humanitarian and peacekeeping personnel, and all relevant actions taken thereon. Pursuant to that resolution, the Secretary-General issued his bulletin ST/SGB/2003/13 of 9 October 2003 on special measures for protection from sexual exploitation and sexual abuse. As defined in the bulletin, "sexual exploitation" means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. The term "sexual abuse" means actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

2. In response to the request in resolution 57/306, and in accordance with the Secretary-General's bulletin, the present report provides information on investigations into cases of sexual exploitation and abuse in 2003 and the measures taken to deal with such cases within the United Nations system.

3. In response to the Secretariat's query regarding investigations into cases of sexual exploitation or sexual abuse, 48 United Nations entities responded. Forty-two entities stated that they had received no reports of sexual exploitation or abuse in 2003. Six entities (the Department of Peacekeeping Operations, the Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the World Food Programme (WFP), and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) reported that investigations into newly reported cases were opened last year. The Department of Peacekeeping Operations reported 24 new cases. In two of the five cases where the alleged perpetrators were civilian personnel, serious misconduct was found to have occurred and appropriate disciplinary action was taken. As for the 19 cases in which military personnel were allegedly involved, investigations revealed serious misconduct in eight cases and appropriate action was taken. Investigations into the remaining 14 cases in the Department (both civilian and military) are currently under way. The Office for the Coordination of Humanitarian Affairs reported one case, now closed (the alleged perpetrator's contract expired and he left the country). UNHCR reported that 24 new cases emerged; 22 have been closed (12 because the alleged perpetrator was not a UNHCR staff member, 6 because the allegations could not be substantiated, and 3 because the perpetrator was dismissed) and 2 remain under investigation. UNRWA reported 2 cases; 1 is closed (the alleged victim refused to sign the required affidavit) and 1 is under investigation. UNICEF and WFP reported 1 case each and both are currently under investigation.

II. Observations

4. The Secretariat is aware that the data gathered on cases of sexual exploitation and abuse perpetrated by personnel affiliated with the United Nations may not reflect the true extent of these deplorable incidents. Complaint procedures and victim support mechanisms are not yet adequate. In many cases, victims are reportedly too frightened or ashamed to lodge a complaint. In addition, once they have reported an allegation, some victims fail to provide evidence during the

investigation phase due to confusion or, in some cases, intimidation. In addition, staff members may not yet be fully aware of the responsibilities placed on them by the Secretary-General's bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13). Considerable additional efforts are required to establish a system within which misconduct of this kind is systematically reported on and effectively followed up, while safeguarding the rights of the victims.

5. However, as detailed in the next section of the report, a number of concrete measures have recently been put in place that are expected to improve the situation during 2004. These include enhanced sensitization on the issue for managers and staff, particularly those in the field, and the development of tools and guidelines for the appropriate handling of complaints of sexual exploitation and abuse.

III. Progress in implementing special measures for protection from sexual exploitation and sexual abuse

6. Further to the information provided in the previous note on this subject (A/58/559), significant progress has been made towards full implementation of the bulletin following its promulgation in October 2003.

7. Several United Nations entities have adapted their codes of conduct to incorporate the specific principles outlined in the bulletin on the prevention of, response to and reporting of cases of sexual exploitation and sexual abuse. Moreover, a number of non-governmental organizations that work in partnership with United Nations agencies have taken similar steps. Several donor Governments have placed funding restrictions on agencies that do not subscribe to the core principles.

8. At the request of the Secretary-General, in November 2003 the Executive Committee on Humanitarian Affairs established a working group to design a system for implementation of the bulletin by all parts of the United Nations system in the field, whether in peacekeeping operations or in development contexts. The working group collaborated closely with the Inter-Agency Standing Committee Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises.

9. The following measures, aimed at ensuring consistent and coherent implementation of the bulletin, were agreed upon by the working group:

(a) Any United Nations entity with a substantial presence in a particular country will appoint a senior-level sexual exploitation and abuse (SEA) focal point and alternate in their respective field operations;

(b) The SEA focal point (or alternate) will be a female staff member and will receive specialized training on the handling of complaints;

(c) All focal points will work together in a country-level network, which should include any SEA focal points designated by NGOs;

(d) All communications to staff and local populations about prevention of sexual exploitation and abuse and about channels of recourse for victims of such exploitation and abuse will be issued in the relevant languages by the in-country

networks, under the auspices of the special representatives of the Secretary-General or the resident coordinators/humanitarian coordinators.

10. While responsibility for implementation of the bulletin rests primarily with the heads of individual United Nations entities, the Secretary-General has confirmed that his special representatives, resident coordinators and humanitarian coordinators are in the best position to ensure that the bulletin is implemented coherently in the field. Therefore, they bear specific responsibilities in this regard. The importance of these responsibilities was emphasized at the humanitarian coordinators' retreat in November 2003, organized by the Office for the Coordination of Humanitarian Affairs, as well as at the March 2004 heads of mission conference, organized by the Department for Peacekeeping Operations.

11. In December 2003, the decisions on implementation outlined above were communicated together with a copy of the bulletin to all field operations by all members of the Executive Committee on Humanitarian Affairs, including the Department of Peacekeeping Operations, the Department of Political Affairs, the Office for the Coordination of Humanitarian Affairs, UNICEF, UNHCR, OHCHR, the United Nations Development Programme (UNDP), WFP and UNRWA. This communication stressed the responsibility of managers for creating and maintaining an environment free of sexual exploitation and abuse and for ensuring that all complaints are dealt with sensitively and followed up in an appropriate manner.

12. The Inter-Agency Standing Committee Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises has completed a number of guidelines designed to assist with implementation of the bulletin. These include model terms of reference for field-level focal points; model terms of reference for in-country networks on sexual exploitation and abuse; and a simple information sheet for local communities on sexual exploitation and abuse and how to report complaints. In addition, the Task Force has compiled a number of training programmes on sexual exploitation and abuse, which are available to United Nations staff and to staff of other interested organizations on the Internet.

13. Model complaints procedures and investigative protocols for cases of sexual exploitation and abuse have been finalized by the Inter-Agency Standing Committee Task Force and are being reviewed by the Office of Human Resources Management. The Task Force is also working to ensure that new national and international recruits to the United Nations system receive a copy of the bulletin in the appropriate working language as part of the induction process.

IV. Conclusions

14. The intention of the Secretary-General in promulgating the bulletin on protection from sexual exploitation and sexual abuse was to ensure that all categories of personnel serving under the United Nations flag would be fully aware of the standards of conduct expected of them, and that they would abide by them in the areas of prevention of sexual exploitation and sexual abuse. In addition, the Secretary-General calls on Member States to incorporate the core principles enshrined in the bulletin into the standards and codes of conduct for their national armed forces and police forces. He also seeks the support of Member States in ensuring that military personnel serving with United Nations peacekeeping operations are held accountable for any acts of sexual exploitation and abuse. The

Secretary-General welcomes the ongoing commitment of the Inter-Agency Standing Committee to addressing the issue of sexual exploitation and abuse, and to promoting a culture of prevention and protection throughout its membership.

15. **The General Assembly is requested to take note of the present report.**

**General Assembly**

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Agenda item 134

**Administrative and budgetary aspects of the financing
of the United Nations peacekeeping operations****Updated financial position of closed peacekeeping missions
as at 30 June 2003****Report of the Secretary-General****Summary*

The present report provides information on the updated financial position as at 30 June 2003 for 18 closed peacekeeping missions.

The 18 missions include the Military Observer Group of the United Nations Verification Mission in Guatemala (MINUGUA); the United Nations Mission in Haiti (UNMIH); the United Nations Observer Group in Central America (ONUCA) and the United Nations Observer Mission in El Salvador (ONUSAL); the United Nations Operation in Mozambique (ONUMOZ); the United Nations Operation in Somalia (UNOSOM); the United Nations Preventive Deployment Force (UNPREDEP); the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters (UNPF); the United Nations Support Mission in Haiti (UNSMIH), the United Nations Civilian Police Mission in Haiti (MIPONUH); the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and the Civilian Police Support Group; the United Nations Transitional Authority in Cambodia (UNTAC); the United Nations Mission of Observers in Tajikistan (UNMOT); the United Nations Angola Verification Mission (UNAVEM) and the United Nations Observer Mission in Angola (MONUA); the United Nations Observer Mission in Liberia (UNOMIL); the United Nations Observer Mission Uganda-Rwanda (UNOMUR) and the United Nations Assistance Mission for Rwanda (UNAMIR); the United Nations Military Liaison Team in Cambodia (UNMLT); the United Nations Iran-Iraq Military

* The present report was delayed owing to a decision on the note of the Secretary-General of 1 March 2004 and availability of financial information by 15 April 2004.



Observer Group (UNIIMOG); the United Nations Mission in the Central African Republic (MINURCA); and the United Nations Transition Assistance Group (UNTAG).

The action to be taken by the General Assembly is set out in paragraph 13 of the present report.

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I. Introduction

1. Pursuant to General Assembly resolution 57/323 of 18 June 2003, the present report provides updated information on the financial position of the following closed peacekeeping missions for which final performance reports have already been issued: the Military Observer Group of the United Nations Verification Mission in Guatemala (MINUGUA); the United Nations Mission in Haiti (UNMIH); the United Nations Observer Group in Central America (ONUCA) and the United Nations Observer Mission in El Salvador (ONUSAL); the United Nations Operation in Mozambique (ONUMOZ); the United Nations Operation in Somalia (UNOSOM); the United Nations Preventive Deployment Force (UNPREDEP); the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters (UNPF); the United Nations Support Mission in Haiti (UNSMIH), the United Nations Transition Mission in Haiti (UNTMIH) and the United Nations Civilian Police Mission in Haiti (MIPONUH); the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and the Civilian Police Support Group; the United Nations Transitional Authority in Cambodia (UNTAC); the United Nations Mission of Observers in Tajikistan (UNMOT); the United Nations Angola Verification Mission (UNAVEM) and the United Nations Observer Mission in Angola (MONUA); the United Nations Observer Mission in Liberia (UNOMIL); the United Nations Observer Mission Uganda-Rwanda (UNOMUR) and the United Nations Assistance Mission for Rwanda (UNAMIR); the United Nations Military Liaison Team in Cambodia (UNMLT); the United Nations Iran-Iraq Military Observer Group (UNIIMOG); the United Nations Mission in the Central African Republic (MINURCA) and the United Nations Transition Assistance Group (UNTAG).

2. By its resolution 57/323, the General Assembly requested the Secretary-General to return 50 per cent of the net cash available for credit to Member States as at 30 June 2002, in the amount of \$84,446,000, by 30 June 2003 and decided to postpone the return of the remaining 50 per cent until 31 March 2004 in respect of the fund balances of the United Nations Mission in Haiti (UNMIH); the United Nations Observer Group in Central America (ONUCA) and the United Nations Observer Mission in El Salvador (ONUSAL); the United Nations Preventive Deployment Force (UNPREDEP); the United Nations Protection Force, the United Nations Confidence Restoration Operation in Croatia, the United Nations Preventive Deployment Force and the United Nations Peace Forces headquarters (UNPF); the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) and the Civilian Police Support Group; the United Nations Angola Verification Mission (UNAVEM) and the United Nations Observer Mission in Angola (MONUA); the United Nations Observer Mission Uganda-Rwanda (UNOMUR) and the United Nations Assistance Mission for Rwanda (UNAMIR); the United Nations Mission of Observers in Tajikistan (UNMOT); the United Nations Transition Assistance Group (UNTAG) and the United Nations Observer Mission in Liberia (UNOMIL).

3. By its resolution 58/288 of 8 April 2004, the General Assembly subsequently decided to postpone the return of the amount of \$84,446,000 until 30 June 2004.

4. The net cash available for credit to Member States as at 30 June 2003 amounted to \$178,684,000, inclusive of the amount of \$84,446,000 that has not yet been credited to Member States as set out in table 1 below.

Table 1

Consolidated cash position of UNMIH, ONUCA/ONUSAL, UNPREDEP, UNPF, UNTAES/Civilian Police Support Group, UNAVEM/MONUA, UNOMUR/UNAMIR, UNMLT, UNMOT, UNTAG, UNOMIL and UNHMOG as at 30 June 2003

(Thousands of United States dollars)

<i>Category</i>	<i>Amount</i>
Cash assets	375 620
Less: Liabilities	153 186
Less: Amount to be returned to Member States ^a	43 750
Cash available for credit to Member States as at 30 June 2003	178 684
Less: Amount to be returned to Member States by 30 June 2004	84 446
Cash available for credit to Member States	94 238

^a Amounts represent the respective share of Member States in the cash balance of UNPF and UNMIH as at 30 June 2002 that remain outstanding pending receipt of their assessed contributions for the funding of the strategic deployment stocks (General Assembly resolution 56/292 of 27 June 2002).

5. The composition of the net cash balance of \$94,238,000 in the respective missions is shown in table 2 below.

Table 2

Closed peacekeeping missions with additional cash balances as at 30 June 2004

(Thousands of United States dollars)

<i>Mission</i>	<i>Amount</i>
UNMIH	12 065
ONUSAL/ONUSAL	290
UNPREDEP	2 898
UNPF	43 030
UNTAES	7 597
UNAVEM/MONUA	12 698
UNOMUR/UNAMIR	7 690
UNMLT	114
UNMOT	1 597
UNTAG	(478)
UNOMIL	2 566
UNHMOG	4 171
Total	94 238

6. Loans totalling \$152 million that were made between 30 June 2003 and 31 March 2004 in order to sustain operations, and detailed in the note of 1 March 2004 (A/58/723) have been fully repaid and do not negatively impact the above cash balances.

7. Six of the 18 peacekeeping missions included in the present report reflected cash deficits totalling some \$101 million as at 30 June 2003 due to outstanding payments of assessed contributions, as shown in table 3. In addition, the cash balance of \$19,015,000 reported in the UNTAG special account as at 30 June 2003 was \$478,000 less than the balance of \$19,493,000 that is to be credited to Member States by 30 June 2004.

Table 3

Closed peacekeeping missions with cash deficits as at 30 June 2003

(Thousands of United States dollars)

<i>Category</i>	<i>Amount</i>
Cash assets	5 356
Less: Liabilities	105 877
Operating deficit as at 31 March 2004	(100 521)

8. The composition of the operating deficit of \$100,521,000 in the respective missions is shown in table 4 below.

Table 4

Closed peacekeeping missions with cash deficits as at 30 June 2003

(Thousands of United States dollars)

<i>Mission</i>	<i>Amount</i>
MINUGUA	(131)
ONUMOZ	(1 489)
UNOSOM	(20 823)
UNSMIH/UNTMIH/MIPONUH	(8 438)
UNTAC	(41 881)
MINURCA	(27 759)
Total	(100 521)

9. By its resolution 57/323, the General Assembly also requested the Secretary-General to address the issue of outstanding dues owed to Member States from closed peacekeeping missions that are in cash deficit. The outstanding amounts owed to Member States are the direct results of non-payment of assessment by Member States.

10. As stated in the note of 1 March 2004 (A/58/723), the Security Council established a new operation in Côte d'Ivoire (UNOCI) on 27 February 2004 and on 29 February 2004 the Council declared its readiness to establish a follow-on

stabilization force in Haiti. The Secretary-General has also recommended to the Security Council that the United Nations Mission of Support in East Timor be extended for a further 12-month period beyond 20 May 2004. Discussions are also ongoing in the Security Council regarding potential United Nations operations in Burundi and the Sudan.

11. The cash available in the Peacekeeping Reserve Fund as at 31 March 2004 amounted to \$150,300,000 inclusive of interest income of \$11,046,000 and is envisaged to finance the immediate start-up requirements of up to three new operations. As indicated in the preceding paragraph, UNOCI and the potential peacekeeping operations will exceed the limits that currently exist for the Fund. The budget for UNOCI will be submitted for the consideration of the General Assembly at the second part of its resumed fifty-eighth session. Should the Security Council decide to authorize the potential new operations, there will be a need for immediate cash requirements before the General Assembly is in a position to review and approve the related budgets and the amounts to be assessed. Therefore, in this situation, the Assembly will be requested to authorize interim funding with assessment, until the submission of the budgets for these operations in the main part of the fifty-ninth session in fall 2004.

12. Although the UNOCI budget will be approved at the resumed fifty-eighth session and the Assembly will be requested to authorize interim funding with assessment for financing of the new operations, the Peacekeeping Reserve Fund will be the means of financing all of these operations until assessments are collected. Experience has shown that there is a significant time lag of about 60 to 120 days between the issuance of assessments and the collection of contributions. Consequently, the available cash in the Peacekeeping Reserve Fund (\$150.3 million) would be insufficient to meet all of the foreseeable cash requirements in the first quarter of the upcoming financial year. It is of critical importance that adequate funding be available to the new peacekeeping operations in the beginning stages so that procurement of equipment, goods and services, including arrangement for emplacement of military and police personnel and the recruitment of civilian staff be achieved within the planned time frames.

II. Action to be taken by the General Assembly

13. The Secretary-General proposes that, following the crediting of \$84,446,000 to Member States by 30 June 2004 in accordance with Assembly resolution 58/288, the remaining cash available totalling \$94,238,000 be retained until 31 October 2004 to supplement the Peacekeeping Reserve Fund in order to finance the initial requirements of the new peacekeeping operations.

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Agenda item 121

Programme budget for the biennium 2004-2005**Cooperation with the city and state of New York related to
the capital master plan****Report of the Secretary-General****Summary*

In accordance with the provisions of section II, paragraph 29, of General Assembly resolution 57/292, of 20 December 2002, the Secretary-General is pleased to submit the present report as an update on the status of the negotiations with the city and state of New York on implementation of the capital master plan, initially reported on to the General Assembly in the first annual progress report (A/58/599). The present report provides information on further developments in the area of that cooperation. The city of New York has developed a plan to mitigate the effects on the community of the construction of the new building, to be known as the UNDC5 building. The city of New York has been working with the New York State legislature to develop an appropriate mitigation plan, which is expected to be introduced and enacted at the upcoming 2005 legislative session. Progress has also been achieved by the United Nations Development Cooperation regarding the design work, which would allow construction of the building to begin in late 2005, pending the resolution of all other related matters.

* The present report is issued following General Assembly decision 58/566, adopted at its eighty-third plenary meeting on 8 April 2004.



1. It will be recalled that, in accordance with the provisions of section II, paragraph 29, of General Assembly resolution 57/292 of 20 December 2002, the Secretary-General submitted to the General Assembly the first progress report on implementation of the capital master plan (A/58/599). That report addressed, *inter alia*, the status of cooperation with the city and state of New York on the project. The present report complements that report and highlights further developments with respect to the capital master plan project, as requested by the Assembly in its decision 58/566, taken at its eighty-third plenary meeting on 8 April 2004.

Mitigation plan

2. The city of New York has developed a mitigation plan that is required to accommodate both the alienation of a portion of Robert Moses Park, in the district of Community Board 6, and the construction on that land of a new office building, of approximately 950,000-square feet, to be known as the UNDC5 building. The plan includes the rehabilitation of the remaining part of Robert Moses Park and of the adjacent courts, as well as the construction of a new esplanade park along the East River between 41st and 51st Streets. The esplanade park will have two general components: (a) an "active" part, closer to 41st Street, to mitigate for the use of Robert Moses Park; and, (b) a "passive" part, which will serve to mitigate for the new building. At present the city of New York is still in discussion with Community Board 6 and local elected officials regarding the scope of the design of the proposed esplanade park as well as other aspects of park mitigation. While some members of the community had initially opposed the land alienation, the mitigation proposals have received growing support from the community in recent months.

3. The city of New York has reviewed the issue of the timing of the required state legislation for alienation of Robert Moses Park and has determined when the legislation should be introduced so that it will most efficiently be passed by the State and supported by the community. After extensive discussions and reviews, the city of New York has concluded that it would be best and most prudent to have the legislation introduced and enacted in the upcoming 2005 legislative session. The Secretary-General will advise the General Assembly on the decision to be taken by the state of New York on the subject and on its effect on the overall timing of the project, as well as on the park mitigation timing, in the next annual progress report to be submitted to the Assembly at its fifty-ninth session.

Progress of work on the proposed new building

4. The United Nations Development Corporation is in the process of finalizing a contract with the architectural firm, selected through an architectural competition, to design UNDC5. It is anticipated that the design work for the building will commence immediately upon the signing of the contract between the architectural firm and the United Nations Development Corporation. In addition, a security study of the requirements for UNDC5, commissioned by the United Nations Development Corporation, is near completion. The results of the study will be submitted to the United Nations for review in the first half of 2004. The current schedule indicates that construction of UNDC5 will start in late 2005, pending the resolution of all related matters.

5. **The General Assembly may wish to take note of the present report.**

**General Assembly
Security Council**Distr.: General
3 May 2004

Original: English

General Assembly
Fifty-eighth session
Agenda items 67 and 156**Security Council**
Fifty-ninth year**Review of the implementation of the Declaration on the
Strengthening of International Security****Measures to eliminate international terrorism****Identical letters dated 3 May 2004 from the Chargé d'affaires a.i.
of the Permanent Mission of Israel to the United Nations
addressed to the Secretary-General and the President of the
Security Council**

I am writing following the most recent Palestinian terrorist attack perpetrated against the citizens of Israel.

On Sunday afternoon, 2 May 2004, two Palestinian terrorists perpetrated a deadly ambush on an Israeli car at the entrance to Gush Katif in the Gaza Strip, killing eight-month pregnant Tali Hatuel, age 34, and her four young daughters Hila, 11, Hadar, 9, Roni, 7, and Merav, 2. Tali Hatuel was a social worker for the Gaza Coast Regional Council where she worked with the families of terror victims. Standing over the shrouded bodies of his wife and daughters at the funeral in Ashkelon on Sunday evening, David Hatuel said, "We were so happy and now everything is terminated. You were my flowers and I will not forget you".

The terrorists opened fire on the small car, causing it to spin off the road. The gunmen subsequently approached the vehicle and assassinated each of the individual occupants at point-blank range, including the youngest daughter sitting in her toddler seat. The car was found riddled with bullets and the carpet inside was stained with blood. Another Israeli civilian, a resident of Ohad in the Eshkol region, traveling in a separate car, suffered gunfire wounds and two soldiers were injured. An explosive device was also detonated by terrorists near the scene of the shooting. Yasser Arafat's own Fatah Al-Aqsa Martyrs Brigades and Islamic Jihad claimed joint responsibility for the "heroic" attack in a call to the Associated Press. A celebration of the massacre is scheduled to take place in Palestinian Authority-controlled areas of Gaza later this week.

Yesterday's attack demonstrates yet again the strategic failure of the Palestinian Authority to undertake efforts on the ground to arrest, disrupt and restrain individuals and groups conducting and planning violent attacks on Israelis.



The flagrant refusal of the Palestinian leadership to fulfil its counter-terrorist obligations poses a direct affront to the commitments made in the road map and elsewhere, which compel the Palestinian Authority to prevent "all acts of violence against Israelis anywhere", and constitutes a brazen violation of the most basic obligations of international law, human rights and Security Council resolutions. But the attacks are more than the gravest of legal violations. The cold-blooded murder of those five young women flouts the most basic codes of humanity; and their tolerance and support by the Palestinian leadership is criminal in its moral depravity.

Israel calls upon the members and bodies of the international community to express their unequivocal condemnation of the deliberate murder of innocent civilians and to make clear to the Palestinian leadership and to those regime sponsors of terrorism their absolute rejection of terrorist tactics, and their acceptance of nothing less than the complete dismantling of terrorist organizations and relentless efforts to prevent terrorism and bring its perpetrators and supporters to justice, in accordance with international law, signed agreements between the parties, and Security Council resolutions, in particular resolution 1373 (2001). Only a unified and uncompromising stand against the perpetrators of these crimes can bring an end to the Palestinian strategy of terrorism and violence and enable progress towards the vision of a negotiated two-State solution, as part of the road map process.

I submit this letter in follow-up to numerous letters detailing the campaign of Palestinian terrorism launched in September 2000, which document the crimes for which the terrorists and their supporters must be held fully accountable.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the fifty-eighth session of the General Assembly, under agenda items 156 and 67, and of the Security Council. An identical letter is being submitted to the President of the Security Council.

(Signed) Arye **Mekel**
Ambassador
Chargé d'affaires a.i.



**General Assembly
Security Council**

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4 May 2004

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General Assembly
Fifty-eighth session
Agenda item 30
Question of Cyprus

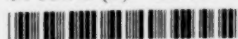
Security Council
Fifty-ninth year

**Letter dated 3 May 2004 from the Permanent Representative of
Turkey to the United Nations addressed to the Secretary-General**

I have the honour to transmit herewith a statement about Cyprus issued by the Ministry of Foreign Affairs of Turkey on 1 May 2004 (see annex).

I should be grateful if the present letter and its annex were circulated as a document of the General Assembly, under agenda item 30, and of the Security Council.

(Signed) Ümit Pamir
Ambassador
Permanent Representative



**Annex to the letter dated 3 May 2004 from the Permanent
Representative of Turkey to the United Nations addressed to the
Secretary-General**

1 May 2004

**STATEMENT BY THE MINISTRY OF
FOREIGN AFFAIRS OF TURKEY**

1. Ten new members will be joining the EU on 1 May 2004. The unique case of Cyprus, which will become a member of the EU, is recognized in the report of the UN Secretary General of 1 April 2003, which was endorsed by the UN Security Council, in the following terms: "Cyprus is unique among EU candidate countries as a standing item on the Security Council agenda and emerging from a context of conflict."

2. The last round of efforts to reach a comprehensive settlement to reunify the Island was conducted under the good offices mission of the UN Secretary General since 1999. The main objective of this endeavor was to enable the Turkish Cypriot side and the Greek Cypriot side to reach a comprehensive settlement and bring into being a new state of affairs in Cyprus. It was considered that such a solution before 1 May 2004 would be in the interest of all concerned, and in the interest of international peace and security. It would have constituted the only means by which Cyprus could enter the European Union united on 1 May 2004.

3. The European Union has repeatedly expressed its strong preference for the accession of a reunited Cyprus and its support to the good offices mission of the UN Secretary-General and has made specific commitments to encourage and promote such an outcome.

4. During the final round conducted in Switzerland on 31 March 2004, the UN Secretary-General finalized the plan on the comprehensive settlement of the Cyprus problem to be submitted on each side for approval at separate and simultaneous referenda, in close consultation with the two parties in Cyprus and with Greece and Turkey.

The Foundation Agreement envisaged the establishment of a United Cyprus, based on a new bizonal partnership, with a federal government and two constituent states, namely the Greek Cypriot State and the Turkish Cypriot State. It is stipulated that "the Constituent States are of equal status, each of them exercises its authority within its territorial boundaries."

Furthermore, the Main Articles of the Foundation Agreement envisaged that "the Greek Cypriots and the Turkish Cypriots affirmed that Cyprus is their common home and acknowledged each other's distinct identity and integrity and that their relationship is not one of majority and minority but of political equality, where neither side may claim authority or jurisdiction over the other.

5. The EU Commission was present at the final stage of the negotiations in Switzerland and the EU commitments with regard to the comprehensive settlement were agreed upon between the parties and the EU Commission.

In the agreed text it was explicitly stated that „the basic principles of the EU have found their expression in the Foundation Agreement which introduced a new state of affairs in Cyprus and allows its peaceful integration into the EU.“ In this context, „the political equality of Greek Cypriots and Turkish Cypriots and the equal status of the two constituent states“ were also underlined.

6. It was agreed to put the comprehensive settlement to separate simultaneous referenda, in order to enable the Turkish Cypriots and Greek Cypriots to exercise their inherent constitutive power, and adopt a settlement by their free and democratic, separately expressed common will.

7. The referenda were held in Cyprus on 24 April and overwhelming majority of Turkish Cypriots voted in favor of the UN Secretary-General's settlement plan which would have allowed for a united Cyprus to join the EU on 1 May 2004. However, the Greek Cypriots rejected it with a 75 percent majority, and efforts to allow a unified Cyprus to join the EU thus failed. In consequence, the Comprehensive Settlement Plan of the UN Secretary General has become null and void, in accordance with the relevant provisions of the Plan.

The Turkish Cypriot people have exercised their inherent constitutive power and expressed, through transparent and democratic process of referendum, their wishes for their political future within the EU as constituent partner of a united Cyprus. It is now incumbent on the EU to acknowledge and act upon the free and genuine expression of the will of the Turkish Cypriot people in this regard.

The separate simultaneous referenda held in Cyprus on 24 April 2004 underline the fact that there exist two separate peoples on the island, neither of which represents the other. Consequently, it would constitute an untenable claim that there is a single authority to represent the whole island, disregarding the reality that any solution on the island requires the consent of both sides.

8. In view of these facts and circumstances, it is only the Greek Cypriots who will enter the EU on 1 May 2004 under the terms of the Accession Treaty of 16 April 2003, which was based on a political and legal situation of a divided Island and consequently does not allow for accession of a united Cyprus to the EU. Thus, an international conflict is inevitably being imported into the European Union.

9. The Greek Cypriots, who will join the EU on 1 May 2004, have no authority to represent the whole of Cyprus or the Turkish Cypriots. They cannot claim authority, jurisdiction or sovereignty over the Turkish Cypriots, who have equal status, or over the entire Island of Cyprus. They cannot impose the „Republic of Cyprus“ on the Turkish Cypriots. Thus, the Greek Cypriots who organized themselves under their own constitutional order and within their boundaries cannot be the legitimate government representing the whole of Cyprus and the Turkish Cypriots.

10. Turkish Cypriots, as a people who organized themselves under their constitutional order within their territorial boundaries, exercise governmental authority, jurisdiction and sovereignty. Turkey's recognition of the Turkish Republic of Northern Cyprus will remain unchanged.

11. The accession of Southern Cyprus cannot prejudice in whatsoever manner the rights and obligations of Turkey regarding Cyprus under the 1960 Treaties.

12. The official position of the Turkish Government on the political and legal situation and circumstances that have arisen as a result of Greek Cypriot rejection of the comprehensive settlement is based on these fundamental considerations, and legal and political facts.